



February 27, 2025

Re: Support of SB946/ HB894 Endangered Species- Incidental Taking- Bats

Dear Chair Korman, Vice Chair Boyce, and Members of the Environment & Transportation Committee

The Forest Resources Association (FRA) represents the interests of nearly 350 organizations and businesses in the forest products industry, including forest landowners, suppliers, consuming mills, associated businesses, and state forestry associations. FRA promotes the public policy interests of the forest products industry's supply chain and works to advance safety, operational and technical efficiencies, and supply chain relations.

We are writing to express our strong support for SB946/HB894, which aims to add the northern long-eared bat (NLEB) and other bat species to the list of species in Maryland authorized to have a "Habitat Conservation Plan" (HCP) and incidental take permit issued by the Secretary of the Department of Natural Resources. This legislation is critical to ensuring conservation efforts are balanced with the needs of farms, forests, and property management projects.

While this proposed legislation does not mandate the creation of an HCP, it preserves the ability to establish one if necessary. This would provide a structured framework for reasonable conservation measures while allowing essential land management activities to continue. Our organization values having a clear, consistent plan that can be effectively implemented on the ground in a timely manner.

On April 27, 2016, the U.S. Fish and Wildlife Service (USFWS) recognized the role of forest management in providing habitat for the northern long-eared bat by issuing a determination "*that designating summer habitat as critical habitat would not be beneficial to the species, because there are no areas within the summer habitat that meet the definition of critical habitat. Thus, we have determined that the designation of critical habitat is not prudent for the northern long-eared bat.*"

The USFWS at this time recognized that the primary factor in the decline of NLEB populations was white-nose syndrome (WNS) and that forestland habitat was not a limiting factor to the species viability. In addition, the NLEB rule correctly acknowledges that forest management activities can benefit the NLEB, stating that "*forest management can be beneficial to bat species (for example, maintaining or increasing suitable roosting and foraging habitat). Forest management that results in heterogeneous (including forest type, age, and structural characteristics) habitat may benefit tree-roosting bat species such as the northern long-eared bat*" [87 Fed. Reg. 16448, March 23, 2022].

Forest Resources Association

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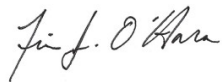
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The USFWS has already outlined conservation measures to mitigate potential risks, and federal law allows for incidental take permits and HCPs to provide clarity and structure for compliance. By passing this legislation, Maryland would align itself with the federal Endangered Species Act and join 21 other states with proactive bat management plans.

It is also essential to recognize that this issue extends beyond forestry. The listing of bat species has broad implications, affecting activities such as the maintenance or removal of structures with bats, tree removal, land clearing, utility right-of-way maintenance, road construction, and bridge and large culvert replacement. These routine activities could face unnecessary delays or restrictions without proper planning measures.

For these reasons, FRA urges you to support SB946 / HB894, which would allow for responsible conservation planning while ensuring that necessary land management activities can continue. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Tim O'Hara".

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